



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

CITY OF RICHMOND *v.* RICHMOND SAND & GRAVEL CO.

June 13, 1918.

[96 S. E. 204.]

1. **Limitation of Actions (§ 55 (7)*)—Nuisance—Injunction.**—Time that a small sewer had been flowing into a creek crossing plaintiff's land, sewage not being enough to cause the injury complained of, should not be considered on the question of limitations, in an action to enjoin the emptying of a larger sewer, of a greatly extended system substituted therefor into the creek.

[Ed. Note.—For other cases, see 9 Va.-W. Va. Enc. Dig. 393; 10 Va.-W. Va. Enc. Dig. 546.]

2. **Estoppel (§ 93 (7)*)—Nuisance—Laches.**—That plaintiff had permitted a small sewer, sewage from which was insufficient to cause the injury complained of, to be emptied for years into a creek crossing his land, did not estop him from enjoining the emptying of a large sewer of a greatly extended system, substituted therefor, into the creek.

[Ed. Note.—For other cases, see 10 Va.-W. Va. Enc. Dig. 518.]

3. **Easements (§ 3 (1)*)—Conveyance of Easement Separate from Land—"Interest in Land."**—An easement contained in a deed of 47.5 acres of land that grantee could run a 30-inch sewer across grantor's land was not alone appurtenant to the land conveyed, and was at least for the benefit of land naturally drained through the conveyed land, and could be alienated independently of the land conveyed, as an "interest in land" under Code 1904, §§ 2418, 2548, whether considered an easement in gross or as being appurtenant to all the land naturally drained by it, especially where the deed provided that, if the grantee should receive any amount from others for the use of such sewer, one-half of such amount should belong to the grantor.

[Ed. Note.—For other definitions, see Words and Phrases, First and Second Series, Interest. For other cases, see 4 Va.-W. Va. Enc. Dig. 854.]

Error to Chancery Court of Richmond.

Bill by the Richmond Sand & Gravel Company against the City of Richmond and another. Decree for plaintiff against the City, and the City brings error. Reversed, and remanded for further proceedings.

H. R. Pollard and *Geo. Wayne Anderson*, both of Richmond, for plaintiff in error.

S. A. Anderson and *Hill Carter*, both of Richmond, for defendant in error.

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.